

# NOTICE OF TYPE III DEVELOPMENT REVIEW APPLICATION AND PUBLIC HEARING

(Form DS1308)



The Department of Community Development has received an application for development review, as described below. This application is subject to public notice and public hearing pursuant to Clark County Code (CCC) Section 40.510.030 and applicable code sections as listed below.

The Clark County Hearings Examiner will conduct the public hearing on **November 23, 2004 at 7:00 P.M.**, at **Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680** (see attached map). Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.) after 6pm.

At the hearing, the Examiner will consider the following:

**Project Name:** 25<sup>th</sup> AVENUE TOWNHOMES SUBDIVISION

**Case Number:** PLD2004-00078; EVR2004-00072; VAR2004-00018;  
SEP2004-00142; ARC2004-00065

**Location:** 7900 & 7906 NE 25<sup>TH</sup> Avenue

**Request:** To subdivide approximately one half acre into eight single-family attached townhouse lots in the R-18 Zoning District and a type I variance to the street side and side setbacks

**Applicant Owner:** Osprey Development  
Attn: Dan Wisner  
4910 NW 127<sup>th</sup> Street  
Vancouver, WA 98685  
**Phone** - (360) 574-6047

**Contact Person:** Sturtevant, Golemo & Associates  
Attn: Eric Golemo  
2211 Main Street  
Vancouver, WA 98660  
**Phone** – (360) 993-0911, **Fax** – (360) 993-0912  
**Email** - [Cwolf@Sgaengineering.com](mailto:Cwolf@Sgaengineering.com)

**Hearing Examiner:** Joe Turner

**Staff Contact:** Richard Daviau ext. 4895

**Neighborhood** NE Hazel Dell  
**Contact:** Bud Van Cleve  
1407 NE 68<sup>th</sup> Street  
Vancouver, WA 98665  
**Phone** – (360) 695-1466  
**Email** - [bsvanc@aol.com](mailto:bsvanc@aol.com)

**Date this Public Notices Issued:** October 1, 2004

**Legal Description of Property:** Tax Lots 124 (145047) & 129 (145052) in the SE quarter of Section 2 Township 2 North, Range 1 East of the Willamette Meridian

**Approval Standards/Applicable Law:**

Clark County Code Chapters: 40.220.020 (Residential Districts); 40.260.230 (Townhouse Standards); 40.350.020 (Concurrency); 40.350.030 (Transportation Standards); 40.370.010 (Sewer); 40.370.020 (Water); 40.380 (Stormwater and Erosion Control); 15.12 (Fire); 40.5 (Procedures); 40.540.040 (Subdivisions); 40.570 (SEPA); 40.6 (Impact Fees); and RCW 58.17 (State Platting Laws)

**Application & Fully Complete Date:**

Application Filed: August 27, 2004  
Fully Complete: September 17, 2004

**SEPA Appeal Process:**

In accordance with the State Environmental Policy Act (SEPA) and Clark County Code 20.50.030, the County must determine if there are significant environmental impacts associated with this request. The County will review the applicant's submitted SEPA checklist and make a determination in the combined Development Review Staff Report and SEPA Checklist Review to be issued at least fifteen (15) calendar days prior to the hearing.

A Determination of Non-significance (DNS) indicates that identified impacts can be adequately addressed with the application of existing County Codes and development standards. A Mitigated Determination of Non-significance (MDNS) indicates that identified impacts can be adequately addressed with conditions of approval.

Procedural or substantive appeals of a Determination of Non-Significance (DNS) or a Mitigated determination of Non-Significance (MDNS) must be filed in writing with the County within fourteen (14) calendar days of the date the SEPA Determination is issued. There is no SEPA appeal fee for Type III reviews. SEPA appeals will be considered by the Hearings Examiner at the scheduled public hearing noted above, and decided in the subsequent written decision.

*Issues of compliance with existing adopted approval standards and criteria can be addressed in the public hearing without an appeal of the SEPA determination.*

### **Staff Report Timelines/Process:**

Staff reports, agendas, and/or SEPA reviews and determinations will be available for review at least fifteen (15) calendar days before the hearing date. Information regarding this application may be obtained by contacting **Richard Daviau 397-2375, Ext. 4895** at the Clark County Development Services Division, 1300 Franklin Street, Vancouver, Washington. Office hours are from 8:00-5:00 p.m., Monday - Friday.

### **Public Testimony Process:**

Any person wishing to present testimony should arrive by **7:00 p.m.** at the Public Service Center, 6<sup>th</sup> floor, 1300 Franklin Street, Vancouver, Washington.

### **Faxed & Written Testimony**

Testimony can be faxed to the Development Services Division at (360) 397-2011, Attn: **Angie Merrill ext. 4992**. Written testimony can be mailed or hand delivered to the Development Services Division, Clark County Community Development, 1300 Franklin Street, PO Box 9810 Vancouver, WA 98666-9810. Comments received by two weeks after the notice will be considered in the staff report.

Faxed, mailed or delivered testimony must be received at the Community Development Customer Service Center by **1:00 P.M., the day of the hearing**. Other written or verbal testimony may be presented and considered at the public hearing.

Note: If an accurate mailing address for those submitting comment is not included, they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

### **Appeal Process:**

The Hearing Examiner normally issues a decision within two weeks of the public hearing. In accordance with Clark County Code 40.510.030(H), appeals of Hearing Examiner decisions must be filed with the Board of County Commissioners within fourteen (14) days of the mailing of the Hearing Examiner's written decision. Hearings Examiner decisions on any SEPA appeal cannot be further appealed to the Board of County Commissioners. Such appeals must pursue judicial review.

Appeals must be in writing and contain a brief statement describing why the Hearing Examiner's decision is in error. The appeal must be accompanied by check in the amount of **\$279**. Checks shall be made payable to the Board of County Commissioners.

**Accommodation of Physical Impairments:**

The Customer Service Center is wheelchair accessible. For persons requiring auxiliary aids or special arrangements in order to participate in this hearing, please contact the Development Services Division as far in advance of the hearing date as possible. To request these arrangements, please contact **Angie Merrill** at (360) 397-2375, Ext. 4992, or call the Telecommunications Device for the Deaf (TDD) line at (360) 397-6057.

**Public Service Center  
Department of Community Development  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA. 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011  
Web Page at: <http://www.clark.wa.gov>**